

Planning Commission

April 24, 2014

Proposal:	DECOTO ROAD GENERAL PLAN CONFORMITY FINDING – 4178, 4194 and 4268 Decoto Road - (PLN2014-00101) - To consider a General Plan Conformity Finding for the sale of three City-owned properties located in the Centerville Community Plan Area, and find that this action is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378, in that it is not a project as defined by CEQA.
Recommendation:	Approve General Plan Conformity Finding.
Location:	4178 Decoto Road (APN 543 024602204), 4194 Decoto Road (APN 543 025602100) and 4268 Decoto Road (APN 543 025602303)
Area:	4178 Decoto Road - 361,583 square feet (8.3 acres) 4194 Decoto Road - 7,000 square feet (0.16 acres) 4268 Decoto Road - 49,297 square feet (1.13 acres)
People:	City of Fremont, Applicant/Property Owner James Willis, Staff Planner, (510) 494-4449, jwillis@fremont.gov
General Plan:	Commercial – Mixed Use
Zoning:	Thoroughfare Commercial (C-T)

EXECUTIVE SUMMARY

The City of Fremont is proposing to sell three contiguous City-owned parcels. As required by California Government Code Section 65402, prior to disposition of City-owned property, the Planning Commission must find that the location, purpose and extent of the disposition is in conformance with the General Plan. The subject properties have a General Plan land use designation of Commercial – Mixed Use and are located at the southwest corner of the intersection of Decoto Road and Fremont Boulevard. The proposed disposition of property would conform to the General Plan land use designation, which permits commercial and mixed use development. The disposition would also support General Plan policies emphasizing infill development on underdeveloped sites with existing infrastructure and encouraging mixed use development and sustainable development principles. Staff recommends that the Planning Commission approve the Finding of General Plan Conformity.

BACKGROUND AND PREVIOUS ACTIONS

In 1981, the City Council amended the General Plan to change the designation of the three subject properties from Freeway to Retail Commercial due to the cancelation of the Route 84 Freeway project. Following that, the Decoto Road bypass project was planned to extend through the properties to Fremont Boulevard and the property owners planned a commercial development along the bypass road. The parcels were obtained by the City in 1989 and in 1992 Regan Nursery obtained a Conditional Use Permit to temporarily operate a commercial nursery on a portion of the site. There are several structures related to the nursery as well as two older single-family homes, which are currently vacant, that occupy the properties. As part of the 2011 General Plan update, the subject properties were redesignated Commercial - Mixed Use.

PROCEDURE FOR TONIGHT'S HEARING

At tonight's hearing, the Planning Commission is charged with completing the following:

1. Consider the request for Finding of General Plan Conformity for three City-owned parcels at 4178, 4194, and 4268 Decoto Road.

PROJECT DESCRIPTION

The City of Fremont is proposing to sell three properties it owns located at 4178, 4194 and 4268 Decoto Road. Individual parcel sizes are 361,583 square feet (8.3 acres), 7,000 square feet and 49,297 square feet (1.13 acres), respectively. All three of the properties proposed for disposition have a General Plan land use designation of Commercial - Mixed Use and are located at the southwest corner of the intersection of Decoto Road and Fremont Boulevard.

PROJECT ANALYSIS

General Plan Conformance

California Government Code Section 65402(a) requires that a Finding of General Plan Conformity be made by the Planning Commission prior to the City's sale of real property. The General Plan land use designation for each of the three properties is Commercial - Mixed Use and the zoning designation is Thoroughfare Commercial (C-T), which allows a range of commercial and mixed uses. The proposed disposition of these properties would conform to the General Plan land use designation because they could be developed for commercial or mixed-use purposes (combining commercial and residential) under the General Plan. The disposition of these three properties would also conform to General Plan Land Use Policy 2-1.11, which emphasizes infill development on under-utilized or skipped over sites that have infrastructure and streets in place; Land Use Policy 2-1.8, which emphasizes mixed-use development, and Community Character Policy 4-2.1, which encourages walkable, connected neighborhoods with multiple land uses.

ENVIRONMENTAL REVIEW

The General Plan Conformity Finding is not subject to the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378, in that it is not a project as defined by CEQA.

PUBLIC NOTICE AND COMMENT

Public hearing notification is applicable. A total of 275 notices were mailed to owners and occupants of property within 300 feet of the site. The notices to owners and occupants were mailed on April 14, 2014. A Public Hearing Notice was published by *The Argus* on April 12, 2014.

RECOMMENDATION

1. Hold public hearing.
2. Find that the General Plan Conformity Finding is not subject to the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378, in that it is not a project as defined by CEQA.

3. Find that PLN2014-00263 for the proposed disposition of property located at 4178, 4194 and 4268 Decoto Road as shown on Exhibit "A" is in conformance with the General Plan as described in the staff report.

ENCLOSURES

- Exhibit A - Site Plan
- Informational 1 - Project Location

Project Site



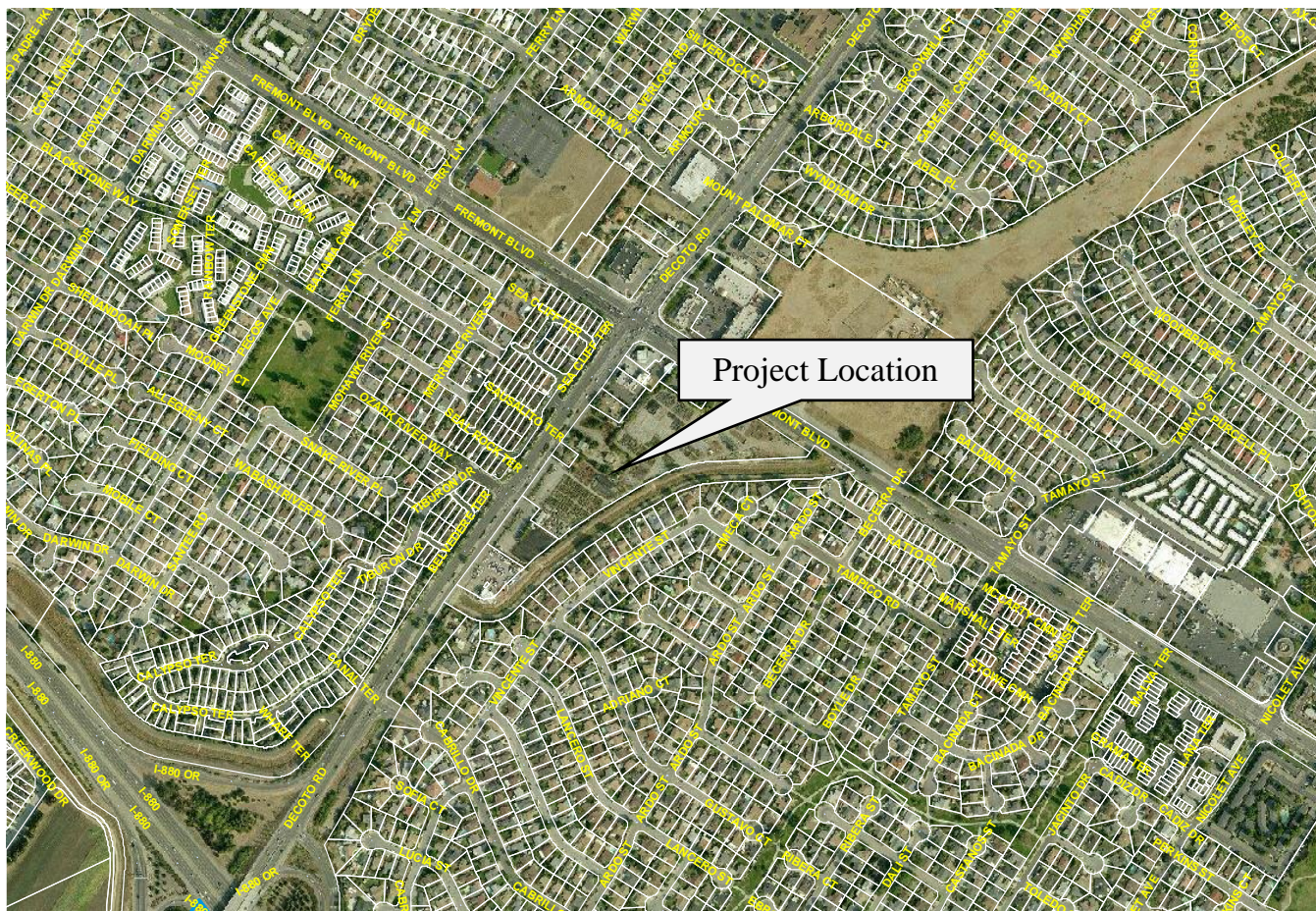


Figure 1: Aerial Photo (2009) of Project Site and Surrounding Area.

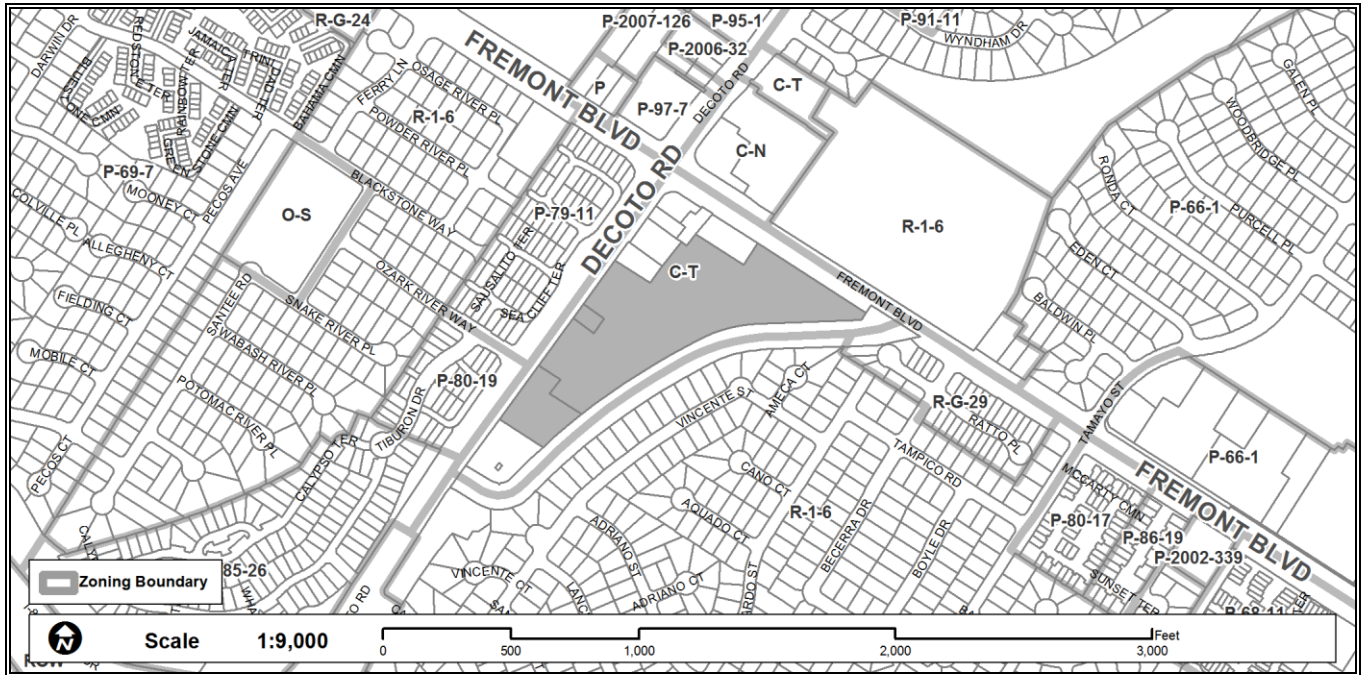


SURROUNDING LAND USES

North:	Low to Medium Density Residential 8.8 – 14.5 dwelling units per acre and Commercial – Mixed Use
South:	Open Space and Low Density Residential 2.3 – 8.7 dwelling units per acre
East:	Open Space and Medium Density Residential 14.6 – 29.9 dwelling units per acre
West:	Low to Medium Density Residential 8.8 – 14.5 dwelling units per acre

Current Zoning

(Shaded Area represents the Project Site)



Current General Plan Land Use Designation

(Shaded Area represents the Project Site)

